



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

HOUSE STANDING COMMITTEE ON REGULATORY REFORM

Wednesday, October 28th, 2015 12:00 Noon Room 519 House Office Building

Representative Ray A. Franz, Chair, called the meeting to order.

Chair Franz requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Absent: None,

Excused: None.

Representative Brett Roberts moved to approve the minutes of the October 21st, 2015 meeting.

There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4281 and HB 4282 before the committee:

HB 4281 (Franz)	Occupations; licensing fees; certain occupations related to residential construction; eliminate license fees.
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HB 4282 (Franz)	Occupations; construction; licensure of persons engaged in certain occupations related to residential building and contracting; eliminate and clarify licensing requirements for residential builders.
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A substitute (H-1) for HB 4281 and a substitute (H-1) for HB 4282 were adopted on October 21st, 2015.

Representative Brett Roberts moved to adopt substitute (H-2) for HB 4281. The motion prevailed by a vote of 15-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Nays: None,

Pass: None.

Representative Crawford moved to report HB 4281 with recommendation, as substitute (H-2). The motion prevailed by a vote of 9-6-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, and Tedder,

Nays: Reps. Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Pass: None.

Representative Lane offered the following amendments for HB 4282, as substituted (H-1):

1. Amend page 2, line 15, after "**IS**" by striking out "**\$4,000.00**" and inserting "**\$2,500.00**".

2. Amend page 2, line 21, after "**OF**" by striking out "**\$4,000.00**" and inserting "**\$2,500.00**".

Representative Lane moved to adopt the amendments for HB 4282, as substituted (H-1). The motion did not prevail by a vote of 6-9-0.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Nays: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, and Tedder,

Pass: None.

Representative Brett Roberts moved to report HB 4282 with recommendation, as substitute (H-1). The motion prevailed by a vote of 9-6-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, and Tedder,

Nays: Reps. Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Pass: None.

The Chair laid HB 4915 before the committee:

HB 4915 (McCready)	Animals; animal shelters; pet shop, dog pound, and animal shelters act; modify to provide for minimum holding times and certain recordkeeping requirements, and prohibit local units of government from prohibiting sterilization release programs.
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Representative Schor offered the following amendment to HB 4915:

1. Amend page 6, line 15, after "**IS**" by striking out all of subsection (6) and inserting:

“(6) THE HOLDING PERIODS REQUIRED BY THIS SECTION DO NOT APPLY TO AN ANIMAL CONTROL SHELTER LOCATED WITHIN A LOCAL UNIT OF GOVERNMENT IF THAT LOCAL UNIT OF GOVERNMENT HAS ENACTED AN ORDINANCE OR ADOPTED A RESOLUTION THAT PROVIDES FOR HOLDING PERIODS FOR ANIMAL CONTROL SHELTERS THAT ARE DIFFERENT FROM THE HOLDING PERIODS REQUIRED BY THIS SECTION.”.

Representative Schor moved to adopt the amendment for HB 4915. The motion prevailed by a vote of 15-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Nays: None,

Pass: None.

Representative Schor moved to report HB 4915 with recommendation, as amended, as substitute (H-1). The motion prevailed by a vote of 15-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Nays: None,

Pass: None.

The Chair laid HB 4895 and HB 4896 before the committee:

HB 4895 (Nesbitt)	Liquor; licenses; secondary location permit to sell beer and wine at retailers with motor fuel pumps; provide for.
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HB 4896 (Franz)	Liquor; licenses; issuance of specially designated license and specially designated distributor license to 1 licensee; allow.
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Majority Vice-Chair Brett Roberts assumed the gavel, the time being 12:20 p.m.

Chairman Franz and Representative Nesbitt introduced the bills. Questions and discussion followed.

Chairman Franz assumed the gavel, the time being 12:37 p.m.

Andrew Deloney, Kerry Krone, and Julie Wendt, representing the Michigan Liquor Control Commission, testified in support of the bills. Questions and discussion followed.

Amy Drumm, representing the Michigan Retailers Association, and Brian Horsford, representing Meijer, testified in support of the bills. Questions and discussion followed.

Mark Griffin, Dennis McCarthy, and Craig Hoppen, representing the Michigan Petroleum Association, testified in opposition to the bills. Questions and discussion followed.

John Griffin, representing the American Petroleum Institute, testified in opposition to the bills.

The following people submitted testimony cards in support of the bills but did not wish to speak:

Scott Graham, representing the Michigan Brewers Guild

Linda Gobler, representing the Michigan Grocers Association

Bret Marr, representing Spartan Stores

Spencer Nevins, representing the Michigan Beer and Wine Wholesalers Association

Allie Bush, representing the Grand Rapids Area Chamber of Commerce

Rob Elhenicky, representing Walmart

The following people submitted testimony cards in opposition to the bills but did not wish to speak:

Mike Tobias, representing the Michigan Alcohol Policy Promoting Health and Safety
Lewis Dodak, representing Holiday Companies
Steve Rush, representing Holiday Gas Company
Eileen Kowall, representing the Allied Liquor Stores of Michigan
Manny Lentine, representing the Marathon Petroleum Company and Speedway

The following people submitted testimony cards with a neutral position on the bills but did not wish to speak:

Justin Winslow, representing the Michigan Restaurant Association
Frank Harris, representing Mothers Against Drunk Driving
Scott Ellis, representing the Michigan Licensed Beverage Association

Representative Kesto offered the following amendment to HB 4896:

1. Amend page 2, following line 5, by inserting:

"(4) IN CITIES, INCORPORATED VILLAGES, OR TOWNSHIPS, THE COMMISSION SHALL ISSUE ONLY 1 SPECIALLY DESIGNATED MERCHANT LICENSE FOR EACH 1,000 OF POPULATION, OR FRACTION OF 1,000. THE COMMISSION MAY WAIVE THE QUOTA REQUIREMENT OF THIS SUBSECTION IF THERE IS NO EXISTING SPECIALLY DESIGNATED MERCHANT LICENSEE WITHIN 2 MILES OF THE APPLICANT, MEASURED ALONG THE NEAREST TRAFFIC ROUTE.

(5) A SECONDARY LOCATION PERMIT ISSUED TO A SPECIALLY DESIGNATED MERCHANT UNDER SECTION 541 IS NOT SUBJECT TO THE QUOTA REQUIREMENT OF SUBSECTION (4).

(6) FOR PURPOSES OF THIS SECTION, POPULATION IS DETERMINED BY THE LAST FEDERAL DECENNIAL CENSUS, BY A SPECIAL CENSUS UNDER SECTION 6 OF THE HOME RULE CITY ACT, 1909 PA 279, MCL 117.6, OR SECTION 7 OF THE GLENN STEIL STATE REVENUE SHARING ACT OF 1971, 1971 PA 140, MCL 141.907, OR BY THE LATEST CENSUS AND CORRECTIONS PUBLISHED BY THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, WHICHEVER IS CONDUCTED LATER."

Representative Kesto moved to adopt the amendment to HB 4896. The motion did not prevail by a vote of 7-8-0

UNFAVORABLE ROLL CALL:

Yeas: Reps. Kesto, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Nays: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, and Tedder,

Pass: None.

Representative Brett Roberts moved to adopt a substitute (H-1) for HB 4896. The motion prevailed by a vote of 8-7-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, and Tedder,
Nays: Reps. Kesto, Dianda, Darany, Lane, Schor, Chirkun, and Moss,
Pass: None.

Chair Franz offered the following amendments for HB 4895:

1. Amend page 1, line 9, after "center" by striking out the balance of the subparagraph and inserting a period.
2. Amend page 6, following line 7, by inserting:
"(A) "NEIGHBORHOOD SHOPPING CENTER" MEANS 1 COMMERCIAL ESTABLISHMENT, OR A GROUP OF COMMERCIAL ESTABLISHMENTS ORGANIZED OR OPERATED AS A UNIT, THAT IS RELATED IN LOCATION, SIZE, AND TYPE OF SHOP TO THE TRADE AREA THAT THE UNIT SERVES, AND CONSISTS OF NOT LESS THAN 50,000 SQUARE FEET OF LEASABLE RETAIL SPACE, AND HAS ACCESS TO OFF-STREET PARKING SPACES." and relettering the remaining subdivisions.

Representative Brett Roberts moved to adopt the amendments for HB 4895. The motion prevailed by a vote of 15-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Tedder, Dianda, Darany, Lane, Schor, Chirkun, and Moss,
Nays: None,
Pass: None.

Chair Franz offered the following amendment to HB 4895:

1. Amend page 2, line 7, after "than" by striking out "\$250,000.00," and inserting **"\$50,000.00,"**.

Representative Brett Roberts moved to adopt the amendment to HB 4895. The motion prevailed by a vote of 9-4-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Lauwers, Crawford, Garcia, Iden, Tedder, Darany, and Chirkun,
Nays: Reps. Yonker, Kesto, Dianda, and Lane,
Pass: Reps. Schor and Moss.

There being no further business to come before the committee, the Chair adjourned the meeting the time being 1:18 p.m.

Representative Franz, Chair

Matthew Carnagie
Committee Clerk
October 27th, 2015
78 minutes

Date Approved and Signed